

Appl. No. 10/611,488
Reply to Office action of January 10, 2005

Amendments to the Drawings

The four attached sheets of drawings replace the original sheets of the same number. No new matter has been added to the drawings.

REMARKS/ARGUMENTS

The drawings have been corrected as suggested by the Examiner. As noted below, a “of about 135 degrees” feature which was canceled from claim 6 has not been shown on the drawings. Fig. 1 was corrected to show the actual location of sleeves 4 and Fig. 3 was corrected to eliminate reference numeral 4, because a sleeve 4 cannot be seen (and may or may not be present) in this view. In accordance with the specification as filed (page 8, last partial paragraph), struts 3 are attached to tubular shaft 2 “either by means of two machine screws 8 that pass through holes in the struts and fasten into the ends of the tubular shaft, *or by means of a sleeve 4 within which the tubular shaft can rotate.*”

As noted below, the reference to a “of about 135 degrees” feature has been eliminated from the specification. The changes that were made to the claims were also made to the specification.

Claims 1-5 have been amended following the suggestions of the Examiner.

Claim 6 has been amended to cancel “of about 135 degrees” limitation from the claim. Even though it is clear from the drawings as filed that the first angle is less than 360 degrees (because handle 7 would abut spar 1 at one extreme of the angle of rotation and hydrofoil 5 would abut spar 1 at the other extreme of the angle of rotation), it would be inappropriate to recite a particular angle because patent drawings are not drawn to scale. Moreover, in describing

a version of the invention, the last paragraph on page 5 of the specification as filed states that "The foil-adjusting tubular shaft is positioned slightly abaft the iako so as to permit the foil to be rotated 180 degrees from its lowered operating position to its fully stowed position without interference from the iako." The applicant believes that this amendment renders claims 6-9 patentable.

Based on the above showings, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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